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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/989,223

Filing Date November 20, 2001

First Named Inventor David L. Kelly

Group Art Unit 1722

Examiner Name

Total Number of Pages in This Submission

11

Attorney Docket Number

032885-71

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

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☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

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☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

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☒ Other Enclosure(s) (please identify below):

**PRELIMINARY AMENDMENT POSTCARD**

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

JOHN K. UILKEMA  
THELEN REID & PRIEST LLP

Signature

*John K. Uilkema*

Date

January 29, 2003

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PATENT

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In re Patent Application of )

DAVID L. KELLY ET AL. )

Application No. 09/989,223 )

Non-Provisional Application Based on )  
Provisional Application No. 60/300/890 )

Filed: November 20, 2001 )

For: **VOID FORMING AND ANCHOR )  
POSITIONING APPARATUS AND )  
METHOD FOR CONCRETE )  
STRUCTURES )**

Group Art Unit: 1722

Examiner:

PRELIMINARY AMENDMENT

P.O. Box 190187  
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Box Non-Fee Amendments  
Commissioner for Patents  
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Sir:

Please amend Claims 1 and 25, as follows:

1. (First Amended) An apparatus for use in embedding an anchor in a concrete structure, comprising:
- (a) a body having first and second sections hinged together at upper portions thereof for movement between a closed condition engageable around an anchor received therebetween and a an open condition in which said sections are separated to release an anchor received therebetween;
  - (b) a latch disposed between said sections to releasably secure the sections in the closed condition; and,
  - (c) a passage defined between the first and second sections and opening through [the] an undersurface of the body, said passage being adapted to receive and retain an anchor therein when in the sections are in the closed condition and, upon movement of the first and sections to the